

Maria Ramos
14418 Aldine Westfield Rd., Unit B
Houston, TX 77039

May 21, 2020

US District Court - Southern District of Texas
Houston Division
Bob Casey United States Courthouse
515 Rusk Avenue, 5th Floor
Houston, TX 77002

United States Courts
Southern District of Texas
FILED

MAY 21 2020

David J. Bradley, Clerk of Court

Lawsuit against Kelly Services Inc.

I was hired by Kelly Services Inc., an employment agency, on June 2014. My contract ran from June to June. On January 31, 2018 Kimberly Mejia, Onsite Manager called my home that evening to tell me not to return to the job assignment at Exxon Mobil Refinery in Baytown TX.

In mid 2016, I notified Ms. Mejia of the issues at my assignment. The Exxon Mobil staff was harassing me. I was called a f---, a cockroach, a piece of shit. Most of the 1st Line Supervisors create an environment where foul language and intimidation is a norm. My direct report supervisor went to my office and told me he "just wanted a little taste" - no one was around. I felt very intimidated and concerned. All these issues were reported to Ms. Mejia - she replied in her email to me to ignore them.

The end of 2016 I reported to Exxon Mobil Human Resources due to no help/response w/action from Ms. Mejia. An investigation was started. I was told, no one got back to me.

The harassment continued until one day one 1st line supervisor (January 30, 2018) asked me if I was leaving. I had not heard anything from Ms. Mejia. I contacted her, she never replied until the phone call to my home on January 31, 2018 that evening.

I Reported to the EEOC. The EEOC sent me a Notice of Suit Rights, letter date 2/19/20 Postmark 2/21/20.

I bring this lawsuit because I was harassed and I strongly believe it was due to my national origin. I believe the Exxon Mobil staff saw me as an easy target and no one will hear me.

I was humiliated and felt tormented, at times afraid, intimidated. I have emails from Ms. Mejia and staff names upon your Request.

Respectfully,

Maria Ramos

(832) 701-8967

mramos1102@yahoo.com

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Maria Ramos**
14418 Aldine Westfield Rd. #B
Houston, TX 77039

From: **Houston District Office**
Mickey Leland Building
1919 Smith Street, 7th Floor
Houston, TX 77002



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

846-2018-10783

Nelly Tamez,
Investigator

(346) 327-7678**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

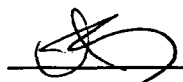
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Rayford O. Irvin,
District Director

2/19/2020

(Date Mailed)

Enclosures(s)

cc:

Danette Duron-Willner
Associate Corporate Counsel
Kelly Services, Inc.
999 W. Big Beaver
Troy, MI 48084

Texas Workforce Commission
Civil Rights Division
101 East 15th
Austin, Texas 78778

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did **not** act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- *not* 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

U. S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
HOUSTON DISTRICT OFFICE
Mickey Leland Federal Building
1919 Smith Street, 7th Floor
Houston, TX 77002-8049

OFFICIAL BUSINESS

Penalty for Private Use \$300



U.S. POSTAGE PITNEY BOWES
ZIP 77002 \$ 000.50
02 4W
0000361650 FEB 21 2020

7700981203 0006

